



# STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

*Jim Gibbons, Governor*

*Allen Biaggi, Director*

*Leo M. Drozdoff, P.E., Administrator*

## Notice of Proposed Action

October 25, 2007

The Administrator, Division of Environmental Protection, Carson City, Nevada is issuing the following notice of proposed action under the Nevada Revised Statutes and the Clean Water Act. The Administrator has received an application for a National Pollutant Discharge Elimination System (NPDES) Permit, NV0023540, from the following applicant:

Smith Valley Cattle Feeders  
500 Hudson Way  
Smith, Nevada 89430

The Applicant has applied for an NPDES permit to discharge manure and process wastewater in excess of the 25-year, 24-hour storm event from Smith Valley Cattle Feeders to the West Walker River in Smith Valley, Lyon County. The 170-acre facility is located on the south side of Hudson Way, one mile east of State Highway 338, southwest of the Hudson townsite. At maximum capacity, the facility will house 25,000 head of dairy heifers in open confinement from six to twenty-three months of age. The facility is defined as a concentrated animal feeding operation because the facility confines at least 1,000 cattle for 30 days or more in a 12-month period in an area devoid of vegetation during the normal growing season. The Applicant has designed and built four clay-lined process wastewater retention ponds with a total storage capacity of 22.13 acre-feet. Manure will continue to be stockpiled in pens until transferred to neighboring farms and ranches for beneficial use. Because all manure and process wastewater is transferred to other parties or evaporated, a nutrient management plan is not required for this facility.

On the basis of preliminary review of the requirements of the Nevada Revised Statutes, as amended, and implementing regulations, the Administrator proposes to issue Permit NV0023540 to discharge for a five (5) year period, subject to certain effluent limitations.

Persons wishing to comment upon or object to the proposed determinations by the Administrator regarding permit issuance, or request a hearing pursuant to the Nevada Administrative Code, Water Pollution Control, should submit their comments or request, in writing, within thirty (30) days of the date of newspaper publication, hand delivered, e-mailed, or postmarked no later than 5:00 P.M. on November 26, 2007, to:

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Department of Conservation and Natural Resources  
Division of Environmental Protection  
Bureau of Water Pollution Control  
901 South Stewart Street, Suite 4001  
Carson City, Nevada 89701-5249

The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted. All comments or objections received within the thirty (30) day period will be considered in the formulation of final determinations regarding the application. If written comments indicate a significant degree of public interest in the proposed permit, the Administrator shall hold a public hearing. A public notice of such hearing will be issued not less than thirty (30) days prior to the hearing date.

If no hearing is held and the determinations of the Administrator are substantially changed from the tentative determinations, the Administrator will give public notice of the revised determinations. Additional comments and objections will be considered at that time.

The application, proposed permit, comments received, and other project information are on file and may be copied or copies may be obtained by writing to the above address or by contacting Bruce Holmgren, Bureau of Water Pollution Control, at (775) 687-9423 or at [bholmgre@ndep.nv.gov](mailto:bholmgre@ndep.nv.gov). The office facsimile number is (775) 687-4684. For further information, the fact sheet for this project can be viewed at the following website: <http://ndep.nv.gov/admin/public.htm>.